

Remarks

The examiner required restriction between:

Group I - Claims 1-38, drawn to methods of reducing T-cell-mediated immune responses with PSGL-1 proteins; and

Group II - Claim 39, drawn to a kit comprising PSGL-1 proteins.

The examiner further required the following election of species, regardless of which of the above groups is selected: the PSGL-1 protein is either A) homomeric or B) heteromeric. The examiner further required election among homomeric and heteromeric compounds comprising:

- A) P-selectin
- B) E-selectin
- C) L-selectin, or
- D) an anti-PSGL-1 antibody.

The examiner required further election of species if Group I is elected. In particular, upon election of Group I the examiner further required election of a disease or condition from among claims 14-18 or pages 22-23, as well as election of a method comprising one of the following:

- A) the absence of detecting the number of T cells or detecting the biological activity of the T cells before / after administration of multimeric compounds;
- B) detecting the number of T cells (e.g., see claim 20); or
- C) detecting the biological activity of T cells (e.g., see claim 21).

In response to the Restriction Requirement, Applicant has elected Group I, (A) homomultimeric compound that binds to at least two PSGL-1 proteins; (D) antigen binding domain of an anti-PSGL-1 antibody or a fragment thereof; inflammatory disease; and (A) absence of detecting the number of T cells or detecting the biological activity of the T cells before / after administration of multimeric compounds, for examination. This election is made with traverse.

The election is made with traverse because the Restriction Requirement includes certain inaccuracies and mischaracterizations of what is claimed. Applicant's representative wishes to thank the examiner for the courtesy of a telephone interview on October 18, 2006, during which the inaccuracies and mischaracterizations contained in the Restriction Requirement were discussed. In particular, it was agreed that in section 5 of the Restriction Requirement election is to be made between homo-multimeric or hetero-multimeric forms of the compound that binds to at least two PSGL-1 proteins, rather than between homomeric or heteromeric forms of PSGL-1 protein itself. Further in connection with section 5 of the Restriction Requirement, it was agreed that election is to be made among species of binding domain that binds to PSGL-1, namely P-selectin extracellular domain, E-selectin extracellular domain, L-selectin extracellular domain, antigen binding domain of an anti-PSGL-1 antibody, and PSGL-1 binding-fragments thereof, rather than among P-selectin, E-selectin, L-selectin, and an anti-PSGL-1 antibody. The instant response is reflective of these clarifications agreed to by the examiner in the telephone interview.

Applicant acknowledges that the examiner has indicated that Applicant is required to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable, and that upon allowance of a generic claim, Applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim. Applicant notes that the examiner has not indicated which claims are considered to be generic. *Accordingly, Applicant requests that the examiner indicate which claims are considered to be generic.*

The following claims are believed to represent a grouping representative of the elected species: claims 1, 2, 4, 8-14, 19, 22-24, 26, and 30-36.

Applicant believes the application is in condition for allowance. An early and favorable response is solicited.

Respectfully submitted,

By 

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